

AMENDMENT**Serial No.:** 10/774,187**Applicant:** Wright, et al.**Examiner:** Chen, Vivian**Filed:** February 5, 2004**Group:** 1773**Title:** FLUORINATED POLYMER AND AMINE RESIN COMPOSITIONS
AND PRODUCTS FORMED THEREFROM**Docket No.:** 4688 (OSI0054/US/8)

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REMARKS

With this response, claim 1 is amended. This amendment does not constitute a waiver of Applicant's right to file a continuing application on the invention claimed in original claims 1, 14, 16 and 17. No claims are added or canceled. Claims 1-22 remain pending. Further examination and reconsideration of the present application are respectfully requested.

Continued Examination Under CFR1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/5/2007 has been entered.

Priority

In the current Office action, the Examiner acknowledged Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 119(e) or under 35 U.S.C. 120, 121, or 365(c) is acknowledged. The Examiner also stated the Applicant has not complied with one or more conditions for receiving the benefit of an earlier filing date with respect to claims 1-7 and 12-13.

The Examiner has argued that the disclosure of the prior-filed application, Application No. 09/384,464, failed to provide adequate support or enablement in the manner provided by the first paragraph of 35 U.S.C. 112 for one or more claims of this application. Specifically, the Examiner argued that support for the recitation of "wherein n is an integer from 1 to 5" in claim 1 is only present in Application Nos. 09/698,554 and 10/091,743. Application No. 09/384,464 and earlier filed Application only disclose n values ranging from 1 to 3.

Therefore for the purposes of this Office Action the Examiner has stated:

Claims 1-7, 12-13 are entitled to an effective filing date of **10/27/2000**.

Claims 8-11, 14-22 are entitled to an effective filing date of **03/05/1998**.

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Terminal Disclaimer

The terminal disclaimer filed on 4/5/2007, disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of:

(a) U.S. Patent Nos. 6,660,828

has been accepted by the Examiner.

The terminal disclaimers filed on 6/30/2006 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of:

(a) U.S. Patent Nos. 6,686, 051 and 6,383,651 and 6,423,418; and

(b) patent issuing from copending Application No. 10/966,528 (US 2005/0048213);
have been accepted by the Examiner.

The double patenting rejections based on:

(a) U.S. Patent Nos. 6,686,051 and 6,383,651 and 6,423,418; and

(b) patents issuing from copending Application No. 10/966,528 (US 2005/0048213);
have been withdrawn by the Examiner in view of the Terminal Disclaimers filed
6/30/2006 and 4/5/2007.

Claim Rejections under 35 USC 102

The Examiner has withdrawn the rejections under 35 U.S.C. 102(b) of claims 14-22 based on Weinert et al (US 6,383,651); or Callicott et al (US 6,423,418) in view of Applicant's amendments filed on 4/5/2007 (establishing an effective filing date of 3/5/1998.)

Claims 1-7, 12-13 remain rejected under 35 U.S.C. 102(b) as being anticipated by WO 99/450079 (WO '079).

Claim rejections under 35 USC 103

The Examiner has withdrawn the rejections under 35 U.S.C. 103(a) of claims 14-22 based on (a) Weinert et al (US 6,383,651) or; (b) Callicott et al (US 6,423,418) in view of Applicant's amendments filed 4/5/2007 (establishing an effective filing date of 3/05/2007).

Claims 1-7, 12-13 remain rejected under U.S.C. 103(a) as being unpatentable over WO 99/450079 (WO '079).

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The Examiner has stated that the Applicant's arguments filed 4/5/2007 have been fully considered but they are not persuasive. However, claims 8-11, 14-22 are deemed allowable over the prior art of record.

DISCUSSION

Applicants acknowledge the telephone interview between the undersigned and Examiner Vivian Chen on May 15, 2007. Claim 1 was discussed. No agreement regarding the allowability of the claims was reached.

Applicants have amended claim 1 to recite that the value of "n" is from 1 to 3. Pursuant to the Examiner's statements, this range of values for "n" is supported in Application Serial No. 09/384,464. In view of this amendment, it is submitted that claims 1-7 and 12-13 are entitled to an effective filing date of 03/05/1998. It is also submitted that the rejections of these claims under 35 U.S.C. 102(a) and 35 U.S.C. 103(a) have been rendered moot. Withdrawal of these rejections is respectfully requested.

CONCLUSION

In view of the above remarks, it is respectfully submitted that the pending claims and the present application are now in condition for allowance. Entry of the Amendment and allowance of the claims is earnestly solicited. In the event that a phone conference between the Examiner and the Applicant's undersigned attorney would help resolve any remaining issues in the application, the Examiner is invited to contact said attorney at (651) 275-9844.

Respectfully Submitted,

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